

Appl. No. 10/814,086
Amdt. Dated June 19, 2006
Reply to Office Action of March 17, 2006

•••REMARKS/ARGUMENTS•••

The Official Action of March 17, 2006 has been thoroughly studied. Accordingly, the changes presented herein for the application, considered together with the following remarks, are believed to be sufficient to place the application into condition for allowance.

By the present amendment independent claim 1 has been changed to recite that the upper and lower edges are "terminal axial" edges. That is, they define where the upper and lower structures of the shell segments terminate, and are not arbitrary intermediate portions of structures. The dependent claims have further been amended in a corresponding manner.

Claim 9 has been amended to include the limitations of claim 1 and thus be independent form and specifically directed to a ceiling mounted medical supply unit in combination with the locking device.

New claims 10-16 have been added which are dependent on claim 9 and correspond to those claims which depend from claim 1 (excluding claim 9).

New claim 17 has been added and recites that the locking device is provided with an axial passageway for routing supply lines therethrough. This feature of the invention is shown in Fig. 1 and the use of such supply lines in conjunction with medical supply units is described in the second full paragraph on page 1 of applicant's specification.

Entry of the changes to the claims is respectfully requested.

Appl. No. 10/814,086
Amdt. Dated June 19, 2006
Reply to Office Action of March 17, 2006

On page 2 of the Office Action the Examiner rejected claims 1-9 under 35 U.S.C. §112, second paragraph.

Under this rejection the Examiner takes the position that it is unclear if the upper and lower edges are axial or radial ends.

In response to the Examiner's concerns, the claims have been changed to recite "axial edges" which is believed to be clear from the reference to "vertical" and "upper" and "lower" throughout the claims.

Also under this rejection the Examiner has stated that it was not clear in claim 9 if the medical supply unit was considered as part of the claimed invention.

In response to the Examiner's concern regarding claim 9, claim 9 has been changed to recite a ceiling-mounted medical supply unit having the claimed locking device.

Claims 1-17 are pending in this application.

Claims 1-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,838,987 to Draut.

For the reasons set forth below it is submitted that all of the claims are allowable over the prior art or record and therefore, each of the outstanding rejection of the claims should properly be withdrawn.

Favorable reconsideration by the Examiner is earnestly solicited.

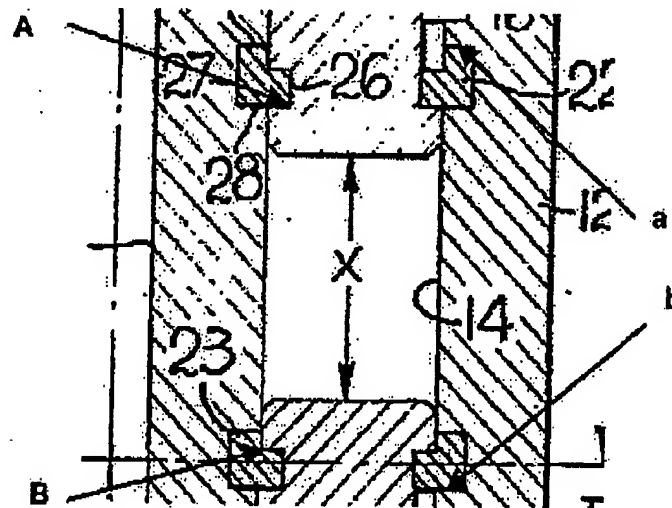
The Examiner has relied upon Draut as disclosing:

... a locking device capable of vertical connection of an upper connection component 18, that comprises an upper engaging section, to a lower connection component 19,

Appl. No. 10/814,086
 Amdt. Dated June 19, 2006
 Reply to Office Action of March 17, 2006

that comprises a lower engaging section, the locking device comprising two shell segments 11,12 each of which only partially extends around opposite vertical sides of the connection from the outside and in a horizontal direction, with the shell segments comprising an upper and a lower edge a, b (upper and lower edges a, b are defined by annular grooves in shell segments 11,12; Figure 1 reprinted below with annotations) at a respective axial end of the shell segment adjacent to each of which is provided an upper and a lower engaging section facing upper and lower engaging sections 23,A,23,B of the upper and lower connection components so that, should the connection of the two connection components come apart, the upper engaging section of the shell segments is supported against the upper engaging sections 22,A provided at the upper connection component, while the lower engaging section of the shell segments holds the lower engaging sections 23,B of the lower connection component (Figures 1-3).

The Examiner has referred to the following marked-up figure in which the Examiner's upper and lower edges are identified by letters "a" and "b":



Independent claim 1 presently recites that the shell segments have upper and lower terminal axial edges.

Appl. No. 10/814,086
Amdt. Dated June 19, 2006
Reply to Office Action of March 17, 2006

As can be seen in the figure above, the structural features identified by letters "a" and "b" are not terminal axial edges of elements 11 and 12 (the Examiner's "shell segments"). Rather than identify structures that are terminal axial edges of the "shell segments," letters "a" and "b" identify intermediate structures as discussed below. Note, the keyway slots 16 and 17 are only discrete structures.

The structure which the Examiner construed to be upper and lower terminal axial edges of the shell segment in Draut are annular groove structure in which split rings 22 and 23 are contained "to provide relative axial movement between the shafts and coupling." (Column 1, lines 54-55)

Draut further requires keyway slots 16 and 17 which cooperate with keys 21 to "provide a rotational connection between the shafts and coupling." (Column 1, lines 47-48)

It is submitted that Draut's use and positioning of the split rings and keyways preclude Draut from providing upper and lower terminal axial edges on the respective ends of the coupling half sections 11 and 12.

Moreover, any modification to include upper and lower terminal axial edges on the respective ends of the coupling half sections 11 and 12 of Draut (to engage with upper and lower "connection components" 18, 19) would be improper since such a modification would necessarily eliminate both the split rings and keyways of Draut and the function provided by these elements.

As the Examiner has correctly noted in the office action, in Draut the shafts 18 and 19 are held in a fixed position once:

Appl. No. 10/814,086
Amdt. Dated June 19, 2006
Reply to Office Action of March 17, 2006

...upper and lower connection components 18, 19 are frictionally locked at a spaced apart, nonadjustable, fixed distance once shell segments 11, 12 and keys 21 are assembled in a locked position.

Draut relies upon this type of arrangement which the Examiner refers to as being "frictionally locked" as opposed to applicants' invention which requires that the engaging or abutting cooperation between the upper and lower terminal axial edges (at respective ends) of the shell segments and the upper and lower engaging sections of the upper and lower connection components.

The structural differences between the present invention and Draut are directly related or associated with the functional differences which the Examiner himself as noted above.

Moreover, it is noted that the present invention is directed to locking device that secures a structural assembly should the connection between the upper and lower connection components come apart.

That is, the present invention, as disclosed and claimed, is a type of auxiliary safety connection (referred to as a locking device) that is designed and configured to prevent an assembly from falling if the primary connection fails. In this regard, it is noted that the present locking device is disclosed as being designed to be (but not limited) retrofitted to existing ceiling mounted devices.

Accordingly, it is submitted that Draut cannot be relied upon as anticipating applicants' claimed invention as required under 35 U.S.C. §102(b).

Therefore, the outstanding rejection of the claims based upon the teachings of Draut should properly be withdrawn.

Appl. No. 10/814,086
Amdt. Dated June 19, 2006
Reply to Office Action of March 17, 2006

Claim 9 has been amended to specifically recite a ceiling mounted medical supply unit having the locking device.

At column 1, lines 5-13 Draut teaches:

This invention pertains in general to shaft couplings, and more particularly to such a method that permits selective relative axial movement between the shafts.

There are numerous applications which require connecting two rotating shafts for transmission of power and wherein axial adjustment of the shafts is required.

As can be understood, the axially adjustable shaft of Draut is not at all applicable to medical supply units that typically include electrical equipment having supply lines which have to pass through and mounting/support means. Note, in the case of applicant's invention the center of the locking device is hollow as shown in Fig. 1.

It would not be obvious to those skilled in the art to use the axially adjustable shaft of Draut which is taught as providing a connection between two rotating shafts "for transmission of power" in combination with a ceiling-mounted medical supply unit.

Note on page 1 of applicant's specification it is disclosed:

Ceiling-mounted medical stands are provided for overhead mounting of medical equipment, such as medical monitors, respirators, syringe pumps, etc. They are, for example, used in operating rooms or intensive-care units, etc. for accommodation of the systems required for operations, intensive care or examination of a patient. Since all of the supply lines for electric current, compressed air, oxygen, and other medical gases, etc. can be routed from the ceiling into the ceiling-mounted stands where they can be connected directly to the equipment, the necessity of placing the cables on the floor is avoided and the risk of stumbling over cables that are lying on the floor can, thus, be eliminated.

Appl. No. 10/814,086
Amdt. Dated June 19, 2006
Reply to Office Action of March 17, 2006

Certainly Draut is not applicable to such ceiling-mounted medical units.

Based upon the above distinctions between Draut and the present invention, and the overall teachings of Draut, properly considered as a whole, it is respectfully submitted that the Examiner cannot rely upon Draut as required under 35 U.S.C. §102 as anticipating applicants' claimed invention.

It is, therefore, submitted that any reliance upon Draut would be improper inasmuch as Draut does not remotely anticipate, teach, suggest or render obvious the present invention.

It is submitted that the claims, as now amended, and the discussion contained herein clearly show that the claimed invention is novel and neither anticipated nor obvious over the teachings of Draut and the outstanding rejection of the claims should hence be withdrawn.

Therefore, reconsideration and withdrawal of the outstanding rejection of the claims and an early allowance of the claims is believed to be in order.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

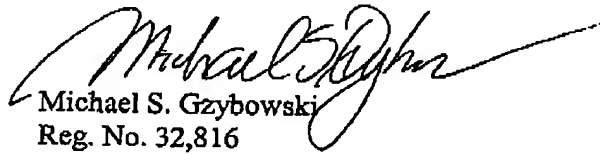
If upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved, the Examiner is invited to contact applicant's patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of

Appl. No. 10/814,086
Amdt. Dated June 19, 2006
Reply to Office Action of March 17, 2006

time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,


Michael S. Gzybowski
Reg. No. 32,816

BUTZEL LONG
350 South Main Street
Suite 300
Ann Arbor, Michigan 48104
(734) 995-3110

140174.1